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#2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 05-037)

In the Application of: )  
Charles Henry Horn, et al )  
Application No.: 10/521,847 ) Examiner: To Be Assigned  
Filing Date: January 18, 2005 ) Group Art Unit: To Be Assigned  
For: Megasphaera Elsdenii Stain and its Uses )  
)

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PRELIMINARY AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Prior to initial examination of the application and calculation of the claim fee, please cancel claims 2-22.

Claims 2-22 have been cancelled to avoid excess claim fees and fees for multiply dependent claims. Applicants will file a subsequent Preliminary Amendment prior to the first Office Action.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff



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CERTIFICATE OF FACSIMILE TRANSMITTAL

The undersigned hereby certifies that this page is being enclosed is being transmitted by facsimile to the Assistant Commissioner for Patents, Facsimile No. (703) 872-9306, on March 25, 2005.



#2

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Examiner: To Be Assigned

Group Art Unit: To Be Assigned

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(Total Number of Pages, including this sheet:2)

The undersigned hereby certifies that this paper and the attached Preliminary Amendment is being transmitted by facsimile to the United States Patent and Trademark Office Facsimile No. 703-872-9306 on March 25, 2005.

  
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